## CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 09/710,487 is being electronically transmitted to Technology Center 2472, via EFS-WEB, on March 12, 2010.

/Charles R. Figer, Jr./ March 12, 2010

Charles R Figer, Jr., Reg. No. 62,518 Date

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hench et al. Confirmation No.: 5334

Serial No.: 09/710,487

Filing Date: November 10, 2000 Examiner: Anh Vu H Ly Art Unit: 2472

Title: METHOD AND APPARATUS FOR THE PREDICTION AND

OPTIMIZATION IN IMPAIRED COMMUNICATION SYSTEM

Attorney Docket: VOY-030

Cincinnati, Ohio March 12, 2010

## AMENDMENT UNDER 37 C.F.R. § 1.111

Mail Stop AMENDMENT Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir

This paper is responsive to the Non-Final Office Action mailed December 14, 2009. The Examiner has indicated that claims 1, 2, 4, 6-20, 22, 24-31, 33 and 35-44 are pending in the application. Claims 1, 2, 4, 6-20, 22, 24-31, 33 and 35-44 stand rejected and claim 43 is objected to. The present response includes the following:

Amendments to the Claims: Pages 2 - 8
Remarks: Pages 9 - 14

Attachments: None